

REMARKS

Claims 1-9, 11, and 12 and new Claim 13 are currently active in the case.

Reconsideration is respectfully requested.

The present invention relates to a composition of water-soluble copolymers.

Specification Amendments

The specification has been amended in order to introduce appropriate section headings therein. The amendments do not introduce new matter into the case.

Claim Amendments

Claim 1 has been amended by deleting the transitional phrase of “comprising” in favor of the more limiting term of --consisting of --. Further, when group R³ of the compound of formula (I) is alkyl, the terminal alkyl group is one which, the carbon atom content of the alkyl group is limited to 1 to 4 carbon atoms, as supported by the text at page 3, line 24. Further, new Claim 13 is supported by the original claims. Thus, the amendments made do not introduce new matter into the case. Entry of the amendment is respectfully requested.

Prior Art Rejection

Claims 1-12 stand rejected based on 35 USC 102 or 103 as anticipated by or rendered obvious over Galleguillos, U.S. Patent 6,361,768. This ground of rejection is respectfully traversed.

The Galleguillos patent discloses a polymer composition that is useful as a thickener or rheology modifier in personal care formulations. As described at column 4, lines 36-49 of

the patent, the composition requires three basic components which are a) 0.05 to 20 mol % of at least anionic monomer, 10 to 45 mol % of at least one cationic monomer having an amino functional group, and c) 35 to 95 mol % of at least one non-ionic hydrophilic monomer. It is acknowledged that the 35 to 95 mol % of the at least one non-ionic hydrophilic monomer (c) component of the patent corresponds to the unsaturated monomer component (a) of the presently claimed water-soluble polymer, and that the amine compound embodiments of the cationic monomer (b) of the patent corresponds to component (b) of the present claims.

However, the composition of the reference requires an anionic monomer which must contain at least one carboxy-functional group, and this component does not correspond to component (c) of the present claims. As to component (d) of the present claims, its presence is optional. Accordingly, it is believed that the present invention as claimed is not anticipated or rendered obvious in view of Galleguillos. Withdrawal of the rejection is respectfully requested.

Claims 1-12 stand rejected based on 35 USC 102 or 103 as anticipated by or rendered obvious over Morschhäuser et al, U.S. Patent 6,645,476. This ground of rejection is respectfully traversed.

Morschhäuser et al describes a water-soluble polymer preparation which is useful in cosmetic and pharmaceutical applications. The composition is comprised of a polymer that is prepared by the copolymerization of two macromonomers (A) and (B). Macromonomer (A) of the patent corresponds to monomer component (a) of the present claims. However, it must be noted in light of the amendment made to the description of monomer (a) of the present claims that the terminal alkyl group on the ethoxylate portion of the (meth)acrylic ester component (A) of the patent is terminated by alkyl that contains a minimum of 10 carbon atoms. On the other hand, component (a) of the present claims is limited, in the event that substituent R³ is alkyl, to alkyl groups that range in carbon atom content from 1 to 4 as shown on page 3, line 34. Thus, the disclosure of the patent does not anticipate the present invention,

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and the description of macromonomer component (A) in column 3 does not suggest the presently claimed range of 1 to 4 carbon atoms. Accordingly, the presently claimed invention is believed to be neither anticipated or rendered obvious in view of the cited patent.


Withdrawal of the rejection is respectfully requested.

New Claim 13 is believed to be clear of the prior art.

It is now believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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